



# **Disability & Inclusion Policy**

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## **Policy Summary**

The University of London is committed to creating and sustaining a positive and supportive culture for our students, staff, visitors and tenants. We strive to provide an inclusive culture founded on dignity and respect.

This policy further enables our approach to equality, diversity and inclusion policy by setting out our position and approach to supporting the needs of individuals with disabilities through appropriate reasonable adjustments within the context of the Equality Act 2010, and the social model of disability.

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# Disability and Inclusion Policy

## 1. Policy Statement

1.1 The University of London is committed to creating and sustaining a positive and supportive culture for our students, staff, visitors and tenants. We strive to provide an inclusive culture founded on dignity and respect.

1.2 As a University founded on the principles of inclusion, we aim to bring that legacy to life in all aspects of our provision and embrace the diversity of our staff and students. We are committed to providing so far as it is possible an inclusive, fair and equitable study and work experience for our students and staff, and an inclusive approach to the services that we provide to the communities that we serve.

1.3 The University recognises that it operates in multiple jurisdictions each of which has different cultural and legislative approaches to disability and inclusion. Where the University is able it will make suitable adjustments to its provision and approach in accordance with this policy.

1.4 This policy further enables our approach to equality, diversity and inclusion policy by setting out our position and approach to supporting the needs of individuals with disabilities through appropriate reasonable adjustments within the context of the Equality Act 2010, and social model of disability.

## 2. Definition of Disability

2.1 Disability in the UK is defined as a physical or mental impairment that has a substantial and long-term adverse effect on a person's ability to carry out normal day-to-day activities (Equality Act 2010).

2.2 Long-term means a condition that has lasted for at least 12 months, it is likely to last at least 12 months or longer or may even last for the rest of the person's life. People who have had a disability in the past are covered, which may be particularly relevant for people with fluctuating and/or recurring impairments. There are many kinds of disability, some more widely understood and visible than others. Many people may have a disability or long-term health condition that is covered by the Equality Act 2010 without realising it.

2.3 A disability can arise from a wide range of impairments which can be, but not limited to:

- sensory impairments, such as those affecting sight or hearing impairments with fluctuating or recurring effects such as rheumatoid arthritis, myalgic encephalitis (ME), chronic fatigue syndrome (CFS), fibromyalgia, depression, and epilepsy.
- Progressive diseases, such as motor neurone disease, muscular dystrophy, and forms of dementia.
- auto-immune conditions such as systemic lupus erythematosus (SLE).
- organ specific issues, including respiratory conditions, such as asthma, and cardiovascular diseases, including thrombosis, stroke, and heart disease.
- developmental conditions, such as autistic spectrum disorders (ASD), dyslexia and dyspraxia.
- learning disabilities.

- mental health conditions with symptoms such as anxiety, panic attacks, phobias, or unshared perceptions; eating disorders; bipolar affective disorders; obsessive compulsive disorders; personality disorders; post-traumatic stress disorder, and some self-harming behaviour.
- mental illnesses, such as depression and schizophrenia.
- and impairments arising from injury to the body, including to the brain.

2.4 In addition to the above, a person who has cancer, HIV infection or multiple sclerosis (MS) can be categorised as a disabled person.

2.5 The University understands that the impact of disability can be as much an effect of cultural and environmental barriers as of the disability itself. For example, inaccessible physical spaces, information, learning materials or computer programmes, or set work or study patterns which may be hard for some people due to the nature of their condition(s) may all be barriers to inclusion. As such, the University of London will focus its efforts on removing or reducing these barriers where feasible to create a more equitable experience, enhance equality of opportunity and offer disabled people more independence, choice, and control.

### **3. Discrimination, Harassment and Victimisation**

#### **3.1 Discrimination**

3.2 In accordance with the requirements of the Equality Act 2010 the University may not discriminate either directly or indirectly on the basis of disability.

3.3 Disability discrimination is when you are treated less well or put at a disadvantage for a reason that relates to your disability. The treatment could be a one-off action, the application of a rule or policy or the existence of physical or communication barriers which make accessing something difficult or impossible. The discrimination does not have to be intentional to be unlawful.

3.4 A failure to meet our duty to make reasonable adjustments is also considered discriminatory under the 'Act'.

#### **3.5 Harassment or Victimisation**

Harassment or Victimisation arising from or in association with an individual's disability is also prohibited by the act and not tolerated by the University. For full definitions of harassment and victimisation please refer to the Equality and Inclusion Policy.

### **4. Reasonable Adjustments**

4.1 The **University has a duty under the 'Act' to make reasonable adjustments** in relation to staff, students and services. These provisions do not apply to the other protected characteristics and are unique to disability. Section 20 of the 'Act' defines what is meant by the duty to make reasonable adjustments.

4.2 As the duty is owed to disabled persons generally, **it is an anticipatory duty** which means service providers and people exercising public functions must anticipate the needs of disabled people and make appropriate reasonable adjustments.

4.3 The duty comprises the following three requirements:

i. where a provision, criterion or practice of the University puts a disabled person at a substantial disadvantage in relation to a relevant matter in comparison with persons who are not disabled,

Or

ii. Where a physical feature of the University puts a disabled person at a substantial disadvantage in relation to a relevant matter in comparison with persons who are not disabled,

Or

iii. where a disabled person would, but for the provision of an auxiliary aid, be put at a substantial disadvantage in relation to a relevant matter in comparison with persons who are not disabled,

Then the University must take such steps as it is reasonable to have to take to avoid the disadvantage, to adopt a reasonable alternative method of providing the service or exercising the function or provide the auxiliary aid.

4.4 Where i. or ii. relates to the provision of information, the steps which it is reasonable for the University to have to take include steps for ensuring that in the circumstances concerned the information is provided in an accessible format.

4.5 Finally, the University is not (subject to express provision to the contrary) entitled to require a disabled person to pay to any extent its costs of complying with the duty.

#### **4.6 Specific Provisions for Students**

4.7 The Equality Act 2010 (the 'Act') introduced specific provisions for higher education institutions (HEIs). Section 91 of the Act prohibits the governing body of an HEI, from discriminating against a person or student in the following ways:

- in the arrangements it makes for deciding who is offered admission as a student.
- in the terms on which it offers to admit the person as a student.
- by not admitting the person as a student.
- in the way it provides education for the student.
- in the way it affords the student access to a benefit, facility or service.
- by not providing education for the student.
- by not affording the student access to a benefit, facility, or service.
- by excluding the student.
- by subjecting the student to any other detriment.

4.8 Subsection 91(3), requires the governing bodies of HEIs to ensure that an institution does not discriminate against disabled students through either:

- the arrangements it makes for deciding upon whom to confer a qualification.
- the terms on which it is prepared to confer a qualification on the person.
- by not conferring a qualification on the person.
- by withdrawing a qualification from the person or varying the terms on which the person holds it.

4.9 Similarly, the University must ensure that they do not victimise disabled students in any of the ways described above.

#### **4.10 Specific Provisions for staff**

4.11 The University has a duty as an employer to make reasonable adjustments in accordance with Section 5.1 – 5.2 above.

4.12 Additionally, the University of London will do all we reasonably can to create an environment where people feel safe and comfortable to talk about disability (See Principles). This can help towards:

- making sure disabled people get support and are not put at a disadvantage or treated less favourably
- recognising the benefits of an inclusive and diverse workforce that does not exclude disabled people
- recruiting and retaining staff who often have more resilience and problem-solving skills through developing ways of living with a disability
- avoiding situations where an employer does not know someone is disabled and just thinks they cannot do their job
- improving wellbeing and productivity for everyone

4.13 The University of London has a responsibility to consider whether anyone might have a disability that puts them at a disadvantage at work. Whilst this does not mean asking intrusive questions, the University of London is committed to anticipating and providing practical and reasonable support where we are able.

## **5. Responsibilities**

At the University of London, the responsibility for adherence to the Equality Act lies across the University of London in our implementation of duties, and delivery of services to staff, students and visitors.

**5.1 Board of Trustees** – In accordance with Schedule 19, Part 1 of the Equality Act(2010) which states that governing bodies are accountable for compliance in the higher education sector the Board of Trustees has ultimate responsible for ensuring that the University complies with its duties as set out in that act. It discharges these duties through the delegation of responsibilities to the Equality and Inclusion Committee and the Vice-Chancellor and by:

- approving policy and procedure as and when required by regulation or statutory duty.
- receiving the equality and inclusion annual report

- receiving other such assurances as it may require from time to time or in response to specific issues.

**5.2 Equality and Inclusion Committee** - the Equality and Inclusion Committee has delegated authority from the Board of Trustees to:

- consider and make recommendation regarding policy and good practice.
- receive reports, data and other information regarding the University's performance in relation to its commitments to disability and inclusion.
- raise concerns or highlight good practice with the Board or with the executive as appropriate.

**5.3 Vice-Chancellor's Executive Group** is responsible for

- approving the University's policy on Disability and Inclusion;
- ensuring this policy is communicated effectively across the University, so it is understood and embedded in culture and practices.
- ensuring that there are appropriate structures, resources and systems supporting this policy.

**5.4 Academic Board** is responsible for:

- holding strategic oversight of academic and student related disability and inclusion related policy and procedures;
- acting on trends in good or poor practice that may become visible through the various reports on student performance or student issues that the Academic Board receives.

**5.5 Staff with specific responsibilities.** Some professional and academic staff have specific responsibilities for or as part of the Policies, Procedures, Regulations, Advice and processes relating to disability and inclusion. These responsibilities include:

- reading all relevant documentation, including relevant pronouncements and initiatives from government and sector-wide bodies, and understanding and acting on their requirements or recommended good practice;
- attending training in this area as appropriate;
- ensuring that they keep appropriate records;
- keeping up to date and ensuring that the policies and procedures, processes, practices and guidance for which they are responsible operate in line with the requirements of this policy.

**5.6 All members of our staff** have general responsibilities in this area, these include:

- operating in line with this policy
- setting a good example by treating all those associated with dignity and respect and challenging unacceptable behaviour
- being aware of this policy and its requirements
- knowing how to report discrimination, harassment or bullying, and helping ensure that reporting incidents does not result in victimisation.

### **5.7 Recognised Teaching Centres**

The University operates in multiple jurisdictions each of which has different cultural and legislative approaches to disability and inclusion. The University's worldwide programme recognises Teaching Centres across the world that are then able to support students in their studies. This support is in the main additional to the degree offer of the University and students contract separately with these teaching centres. While we endeavour to ensure that these teaching centres are inclusive, there are practical limits to what we can achieve. Students with disabilities should therefore check with a teaching centre before entering into a contract for services.

### **6. Related Policies and Procedures**

This policy should be read in conjunction with other relevant documents:

- [Equality & Inclusion Policy](#)
- [Code of Practice on Freedom of Speech and Academic Freedom](#)

### **7. Useful links**

- [Equality Act 2010 \(legislation.gov.uk\)](#)
- [Reasonable adjustments in organisations – best practice for disability inclusion | The Law Society](#)
- [Disability discrimination | EHRC \(equalityhumanrights.com\)](#)